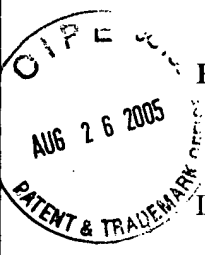


AF JFW



Practitioner's Docket No. 69415.00101

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Man C. Niu

Application No.: 09/740,582

Group No.: 1638

Filed: December 19, 2000

Examiner: S. F. Baum

For: METHODS FOR EFFECTUATING A MRNA TRANSFER OF GENETIC INFORMATION BETWEEN SPECIES AND PRODUCT OF THE SAME

Mail Stop AF

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES
(37 C.F.R. § 41.31)

Applicant hereby appeals to the Board from the decision of the Primary Examiner, mailed February 24, 2005, for a second time rejecting claims 1-11,13,15,22,25,28-43,45,47-50,52,54,56,59,61 and 64-73.

1. STATUS OF APPLICANT

This application is on behalf of a small entity. A statement was already filed on December 19, 2000.

CERTIFICATION UNDER 37 C.F.R. ' 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;
Express Mail certification is optional.)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☒ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

G as "Express Mail Post Office to Addressee"

Mailing Label No. _____ (mandatory)

TRANSMISSION

G facsimile transmitted to the Patent and Trademark Office, (703) _____ - _____.


08/26/2005 ZJU HAR1 00000057 501943 09740582

02 FC:2253

510.00 DA

Date:

8-24-05



Signature

Sherry BARAC

(type or print name of person certifying)

* Only the date of filing (' 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under ' 1.8 continues to be taken into account in determining timeliness. See ' 1.703(f). Consider "Express Mail Post Office to Addressee" (' 1.10) or facsimile transmission (' 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

08/29/2005 ZJU HAR1 00000014 501943 09740582

01 FC:2401

250.00 DA

PH2 236679v1 08/24/05

Notice of Appeal from the Primary Examiner to Board--page 1 of 3

08/26/2005 ZJU HAR1 00000057 501943 09740582

01 FC:2402 250.00 DA

2. FEE FOR FILING NOTICE OF APPEAL

Pursuant to 37 C.F.R. § 41.20(b)(1), the fee for filing the Appeal Brief is:

Small entity	\$250.00
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Notice of Appeal fee due	\$250.00
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3. EXTENSION OF TERM

The proceedings herein are for a patent application and the provisions of 37 C.F.R. 1.136 apply.

Applicant petitions for an extension of time under 37 C.F.R. 1.136 (fees: 37 C.F.R. 1.17(a)(1)-(4)) for three months:

Fee	\$510.00
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If an additional extension of time is required, please consider this a petition therefor.

4. TOTAL FEE DUE

The total fee due is:

Notice of Appeal fee	\$250.00
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Extension fee	\$510.00
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TOTAL FEE DUE	\$760.00
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5. FEE PAYMENT

Authorization is hereby made to charge the amount of \$760.00 to Deposit Account No. 50-1943.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

A duplicate of this transmittal is attached.



6. FEE DEFICIENCY

To the extent there is any fee required in connection with the receipt, acceptance and/or consideration of this paper and/or any accompanying papers submitted herewith, please charge all such fees to Deposit Account 50-1943.

Date:

24 August 2005

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Philadelphia, PA 19103
215-299-2135
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